

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2005 NOV -9 P 3:21

COMMERCIAL UNION INSURANCE)
COMPANY and AMERICAN EMPLOYERS')
INSURANCE COMPANY)

Plaintiffs,)

v.)

SWISS REINSURANCE AMERICA)
CORPORATION,)

Defendant.)

Civil Action No.: 00CV12267DPW

U.S. DISTRICT COURT
DISTRICT OF MASS.

JOINT STIPULATION TO DISMISS

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiffs Commercial Union Insurance Company and American Employers' Insurance Company and Defendant Swiss Reinsurance America Corporation jointly stipulate that pursuant to a settlement the above-captioned action is dismissed with prejudice, waiving any right of appeal, with each side to bear its own fees and costs.

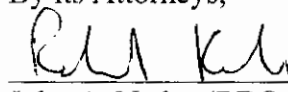
The Plaintiffs,
COMMERCIAL UNION INSURANCE
COMPANY and AMERICAN EMPLOYERS'
INSURANCE COMPANY,

The Defendant
SWISS REINSURANCE AMERICA
CORPORATION,

By their attorneys,


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Date: November 9, 2005